

NATIONAL REGISTRATION (RESIDENTS)
REGULATIONS

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**NATIONAL REGISTRATION (RESIDENTS)
REGULATIONS¹**

Reg. 16/1967, 2/1968, 6/1968, 26/1968, 10/1969, 7/1973, 15/1973]
Made under section 19

Citation

- 1. These Regulations may be cited as the National Registration (Residents) Regulations.

Interpretation [Reg. 7/1973]

- 2. (1) In these Regulations-

“application” means an application for registration;

“Form” means Form in the Schedule;

“identity number” means the serial number printed on a person's registration card and entered in his identification card or to be entered therein;

“list” means a preliminary list of persons prepared under section 14 and includes any list affixed under subsection (1) of section 15;

“registered” means registered under the Act;

“registrant” means any person whose registration is allowed by a divisional registrar;

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*Nothing in these Regulations are to apply to matters provided for in the National Registration Regulations (No. 6/1968, page 79 below); see regulation 32 of the latter Regulations.

“registration office” means the office of a registrar, deputy registrar or divisional registrar;

“section” means a section of the Act.

(2) The provisions of section 2(2) shall, as they apply in relation to a person’s residence, apply in relation to a person’s other particulars required for his application and registration card, and these Regulations shall be construed accordingly.

(3) In these Regulations reference to a qualifying date in relation to the preparation or revision of a preliminary list is a reference to such date as may be appointed by directions under section 14(1).

Division of district into registration divisions

3. (1) In determining the boundaries of registration divisions the Commissioner shall have regard to geographical and other factors which may affect facility of registration or communications within such registration divisions.

(2) The Commissioner may from time to time increase or decrease the number of registration divisions within a registration district and vary the boundaries of any such registration division.

(3) Where the Commissioner makes any change in the number or boundaries of registration divisions within any district, he shall direct the registrar of such district to make the requisite adjustments to the divisional registers and notify such registered persons as may be affected by the change.

Registration offices

4. (1) Registrars shall use as their offices for the performance of duties assigned to them by these Regulations such places as may be appointed by the Commissioner, who may also, if he thinks fit, appoint a place for use as aforesaid by any deputy registrar or divisional registrar.

(2) The Commissioner shall cause to be published in the *Gazette* and in a newspaper circulating in Guyana the addresses of the registration offices.

Supply of lists of cancellations and registered persons

5. The Commissioner shall from time to time communicate to every registrar the names, addresses, occupations and identity numbers of all persons-

- (a) who are registered in the central register;
- (b) whose registrations have been cancelled, and the dates of such cancellation.

Manner of application [Reg. 2/1968]

6. (1) A divisional registrar shall tender application forms and receive applications when visiting houses under section 6(4):

Provided that-

(a) applications for the registration of persons referred to in proviso (a) to section 6(4) and who are resident at the qualifying date in any registration division may be made to the divisional registrar therefor, who shall furnish application forms to such applicants, at the office established for the purpose under that proviso;

(b) if the divisional registrar is satisfied that it is unlikely to be practicable to obtain any application in accordance with the foregoing provisions of this paragraph, he may obtain the application at such place within his registration division as he may reasonably choose to tender an application form for the purpose.

(2) Every person making any such application as aforesaid shall-

(a) furnish the particulars regarding himself as at the qualifying date which are required for the purpose of completing Form 1;

(b) furnish such documentary or other proof of any of the particulars referred to in sub-paragraph (a) as the divisional registrar may in any particular case reasonably require to satisfy him of the truth thereof:

Provided that where the person fails to furnish such documentary or other proof, if required in respect of the date of his birth, as is to the satisfaction of the divisional registrar, the divisional registrar shall, from the person's appearance or such other evidence as the divisional registrar deems sufficient, determine the person's age at the qualifying date and, if a registration card is prepared for him, enter on such card, in place of the said date, a note of that age as having been determined by the divisional registrar;

(c) comply with such requirements of the divisional registrar as may be reasonably necessary for the measurement and recording of his height;

(d) comply with such requirements of the divisional registrar as

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may be reasonably necessary for the taking and recording of his left thumb print or, in case that is not practicable, of some other single finger print, a note being made in such case by the divisional registrar to indicate which of the applicant's fingers is so printed.

(e) answer any questions which the divisional registrar may, in any particular case, reasonably consider necessary to put for the purpose of enabling him to decide whether the applicant is eligible to be registered as resident in the divisional registrar's registration division at the qualifying date.

- (3) Every application under this regulation shall-
- (a) be in Form 1;
 - (b) be in duplicate;
 - (c) subject to paragraph (4), be completed on the part of the applicant in the presence of the division registrar;
 - (d) subject to regulation 10, be signed by the applicant; and
 - (e) have a printed serial number,

and the applicant shall be classified therein as Category A, in any case where his particulars are such as to qualify him for electoral registration as mentioned in section 14(1), and as Category B in any other case.

(4) The divisional registrar may prepare the application of any person who is unable to read or write.

Allowance, disallowance and election in respect of registration

7. (1) If a divisional registrar, on receipt of an application for the registration in reference to his registration division of any person, is satisfied that there is no previous application by that person for such registration with reference to the qualifying date and that the application so received may be granted, the divisional registrar shall cause a registration card and an identification card to be prepared for such person and signed by him, respectively, in accordance with these Regulations.

(2) If the divisional registrar is not satisfied as mentioned in paragraph (1) of this regulation he shall cancel the person's application by writing thereon the word "disallowed", issue to him a notice of disallowance in Form 2 and send a copy of such notice to the registrar for the district comprising the said registration division.

(3) Where a person by communication of his decision in writing to the divisional registrar in accordance with section 11(2), elects to be registered in reference to any registration division, the divisional registrar shall transmit such communication to the registrar to whom the divisional registrar is subordinate, and the registrar shall transmit a copy thereof to such other registrar (if any) as has been assigned to the district comprising that registration division.

Registration cards. Form 3

8. (1) The registration card shall, in Form 3 and subject to the requirements thereof, be prepared in triplicate:

Provided that, where the front of any card is incapable of accommodating anything required to be entered therein, the required entry shall be made on the back of the card. A divisional registrar shall initial every entry made by him under this proviso and, subject to regulation 10, shall require every registrant of whom particulars are contained in any such entry to sign a statement below it that the entry is true to his knowledge.

(2) Every registration card shall have a printed serial number thereon.

Registration cards to be read over and signed

9. (1) After the applicant's particulars as at the qualifying date which are required under the preceding regulation by the said form have been entered therein, the divisional registrar shall sign it and, subject to regulation 10, shall require him to read his registration card, for the purpose of ensuring that its contents are true and correct, and sign it as a registrant.

(2) The divisional registrar shall take and record on the original and duplicate registration cards the left thumb print of the registrant or, if that is not practicable, some other single finger print with a note indicating which of the registrant's other fingers is so printed, and the registrant shall comply with such requirements of the divisional registrar as may be reasonably necessary for the purpose.

(3) Subject to regulation 18, the divisional registrar shall give the triplicate copy of the registration card to the registrant.

Persons unable to read or write or otherwise incapacitated

10. (1) Where a person is unable to read, the divisional registrar shall read over to him, before such witness (if any) of his choice as is present, the contents of his application form and registration card for the purpose of ensuring that the contents are true and correct.

(2) Where the person is unable to sign his name, the divisional registrar shall take and record, in place of such signature, the person's left thumb print or, if that is not practicable, some other single finger print with a note indicating which of the person's other fingers is so printed, and shall initial that print; and the persons shall comply with such requirements of the divisional registrar as may be reasonably necessary for the purpose.

(3) If by reason of any physical defect or injury it is impracticable to comply with any requirement that some finger of a person (other than his left thumb) be printed under the foregoing provisions of these Regulations, the divisional registrar shall enter and sign a note to that effect, and of the reason, in place of such print.

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Identification card. Form 4

11. (1) A registrant shall in the presence of the divisional registrar sign blank identification card which shall be in Form 4.

(2) Regulation 10(2) and (3) shall apply *mutatis mutandis* to the signing of an identification card under paragraph (1).

Spoilt and disallowed application forms and registration cards

12. (1) A divisional registrar, if satisfied that the application form or a registration card of any person cannot conveniently be used or that any such form or card, having been partly prepared, cannot conveniently be completed, shall cancel it by writing the word "spoilt" thereon, without prejudice to the completion of another such form or card in respect of that person.

(2) If, before completion of an application form or registration card which has been partly prepared, the divisional registrar is satisfied that he should issue, or ought to have issued, a notice of disallowance under the provisions of regulation 7(2), he shall cancel such form or card, as the case may be, and thereupon comply with those provisions in so far as applicable.

Correction of mistakes

13. (1) Any clerical or other error or omission in the application or registration card of any person which has been caused by inadvertence may be corrected or supplied by way of the requisite alteration being made thereto either by the divisional registrar having for the time being such application or card, or by the registrar of the district in reference to which such person's application or registration was made or effected, as the case may be.

(2) Every alteration made pursuant to this regulation by a registrar or divisional registrar shall be initialled by him; and, if made by a divisional registrar, the alteration shall be intialled by the person to whom the application or card relates, who shall, in addition, initial such corresponding alteration to the duplicate or the duplicate and triplicate of the application or card (as the case may be) as shall also be made by the divisional registrar.

(3) Regulation 10 shall apply *mutatis mutandis* in relation to alterations made by a divisional registrar under this regulation and their initialling by the said person as that regulation applies in relation to the contents of a form to which it refers and signature thereof.

(4) Where the registrar makes any alteration under this regulation, he shall give to the said person notice thereof, which may be sent by registered post to his last known address.

(5) Reference in the foregoing provisions of this regulation to the making by registrar of any alteration to an application or registration card shall be construed to include reference to his making the same in his files or divisional register, and to his causing it to be made by way of notification to the Commissioner under the next following paragraph, to the original, duplicate and any triplicate copy thereof.

(6) Upon notification of any alteration by a registrar pursuant to this regulation, the Commissioner shall make or cause to be made the like alteration to any original or copy of the relevant application or registration card which is kept by him; and the Commissioner instead of the registrar (notwithstanding the provisions of any regulation), shall initial every alteration made under this paragraph.

(7) Where the description of the address of any person has been altered by lawful authority, the foregoing provisions of this regulation shall apply to any resulting misdescription of such address in his application and registration card as they apply to any error mentioned in paragraph (1).

Claims for corrections

14. (1) Any person registered for the purposes of any order made under section 6(1)-

(a) being a person who believes that any error or omission has been made in his application or registration card, may, on or before the qualifying date or the day appointed by such order for the end of the registration of applicants, which ever is later, submit a claim to the registrar in whose divisional register the person is registered; or

(b) being a person who desires to notify the registrar aforesaid of any changes occurring after the qualifying date in the particulars recorded by way of such registration, may, after the expiration of such period following the certification of revised lists of persons registered for the said purposes as is mentioned in regulation 37, submit a claim to the registrar,

to make the requisite alteration:

Provided that where the alteration is claimed under subparagraph (a) in consequence of the person's change of residence from one district to another on or before the qualifying date, or under sub paragraph (b) in consequence of such a change after the said date, the claim shall be submitted to the registrar for the latter district.

(2) Any such claim by a person registered for the purposes of any order as aforesaid shall be in writing in Form 5 and, in the case of a claim under paragraph (1) (a) in respect of any alteration which entails a change of the claimant's registered name, address, occupation, identity number or category mentioned in regulation 6(3), shall be determined under

paragraph (3) or (4) of this regulation, so that the alteration (if any) required in consequence of such determination may be made, prior to the completion of preparation of the list of persons registered for the purposes of the said order.

(3) The registrar may allow a claim made under paragraph (1) and, in that event, he shall make the requisite alteration to the application form or the registration card, as the case may require, initial such alteration and, in the case of a change referred to in subparagraph (b) of that paragraph, insert the date of such change.

(4) A registrar who is not satisfied that any claim made under the said paragraph should be allowed shall hold a public enquiry to determine the matter:

Provided that in the case of a claim under paragraph (1) (a), whenever such registrar is satisfied that the matter may be determined under regulation 27 in the event of a claim being made under regulation 23(1) for the purpose, he shall, without prejudice to the making of such a claim, disallow the first-mentioned claim and shall notify the claimant accordingly.

(5) Regulation 13(4), (5) and (6), and regulations 27 to 33 (inclusive), in so far as applicable, shall apply *mutatis mutandis* in relation to an alteration in accordance with paragraph (3), and an enquiry and decision under paragraph (4), respectively, of this regulation.

(6) Where the registrar allows a claim in respect of a change of residence and such change is from one registration division to another within his district he shall make the necessary transfers in his files and divisional registers and where such change is to his district from another district, he shall arrange for the necessary transfers with the registrar of the last-mentioned district.

(7) Where the registrar allows a claim under paragraph (1)(a) in respect of a change of the name of any person, he shall make or cause to be made the requisite alteration to such person's application and shall cause a new registration card to be prepared for him and shall give any directions which he considers expedient for the purpose.

(8) Where any claim in respect of a registration card is allowed and such card is incapable of accommodating the requisite alteration, the registrar shall attach to the said card a continuation registration card bearing the same identity number as the first-mentioned card and make such alteration on the continuation card; and reference in paragraph (5) to any alteration includes a reference to any such attachment.

Documents to be safely kept and delivered to registrar by divisional registrar

15. (1) Every divisional registrar shall keep in a safe place and, subject to these Regulations, otherwise treat as secret and confidential-

- (a) application forms;
- (b) registration cards;
- (c) identification cards;
- (d) notices of disallowance of registration; and
- (e) acknowledgments under paragraph (1) of regulation 17,

received completed or otherwise used by him in the performance of his duties.

(2) Subject to these Regulations, a divisional registrar shall, at such times as the Commissioner may direct, deliver to the appropriate registrar all cards, forms, and other documents that have been received, completed or otherwise used by the divisional registrar in the performance of his duties, and all such documents which were required to be treated by him in the manner provided by the preceding paragraph shall be treated by the registrar in like manner.

Performance of one divisional registrar's functions by another

16. Within any registration division, the divisional registrar therefor acting on behalf of any other divisional registrar may, in such circumstances as the Commissioner may direct, obtain applications for registration in reference to such other divisional registrar's registration division and perform his functions in connection with any such applications and the applicants' registration and identification cards under regulations 6 to 13 (inclusive), 15 and 17, which shall, in so far as applicable, have effect *mutatis mutandis* for the purposes of this regulation.

Photograph of registrant

17. (1) After giving to any registrant the triplicate copy of his registration card as required by regulation 9(3), the divisional registrar shall direct the registrant to deliver the said copy to an official photographer within such time and at such place as shall be specified in such direction; and every registrant so directed shall, in writing under his hand, acknowledge in the presence of the divisional registrar such direction.

(2) Regulation 10 shall *mutatis mutandis* apply in relation to such acknowledgement and signature thereof as it applies in relation to a form to which it refers and signature thereof.

(3) Subject to paragraph (6), the photographer shall upon delivery to him of the triplicate copy of a registrant's registration card, require the registrant to sign his name on the said copy and take and record his left thumb print thereon or, if that is not practicable, some other single finger print with a note indicating which of the registrant's other fingers is so printed.

(4) The photographer shall thereafter photograph such registrant, his identify number having been set up on the camera so as to appear on such photograph.

(5) The photographer, after signing, detaching and giving to such registrant the counterfoil of the said copy, shall sent it and the exposed film of his photograph to the commissioner.

(6) Regulation 10(2) and (3) shall *mutatis mutandis*, apply to the photographer as they apply to the divisional registrar.

Exemption from taking of photograph

18. (1) Where a registrant objects to the taking of his photograph for the reason that his face is disfigured or on any other grounds he may apply for exemption from compliance with the requirements of regulation 17.

(2) An application under this regulation shall be in Form 6 and shall be delivered to the divisional registrar on the occasion of the allowance of the applicant's registration.

(3) On receipt of such application the divisional registrar shall endorse his recommendation thereon and forward it for determination to the registrar to whom the divisional registrar is subordinate; and the divisional registrar shall not give to the registrant the triplicate copy of his registration card as required by regulation 9(3) unless and until the registrar refuses such application.

(4) If the registrar grants the application he shall endorse on the application and in the space for the photograph on the identification card and the registration card of the registrant the words "Exempted from being photographed" together with his signature and shall record in such place as shall be reserved for remarks on the back of the registration card the reason for such exemption.

Power of Minister to exempt persons from taking of photograph [Reg. 26/1968]

19. (1) The Minister may, in his discretion, exempt any person by notice served on him by registered post, or any class of persons by notice published in the *Gazette*, from compliance with any of the requirements of regulation 9(3) or regulation 17.

(2) Where any person is exempted under paragraph (1) from compliance with any directions given to him by a divisional registrar under regulation 17, the Commissioner may direct the divisional registrar to require the surrender to him by such person of the triplicate copy of his registration card.

(3) Regulations 15 and 19 shall, *mutatis mutandis* apply in relation to all triplicate copies of registration cards retained under paragraph (1), or obtained under paragraph (2) by divisional registrars.

(4) The registrar shall endorse on the application and in the space for the photograph on the identification card and the registration card of a person exempted under this regulation the words "Exempted from being photographed", together with his signature.

Delivery of documents by registrar to Commissioner

20. (1) A registrar shall, at such times as the Commissioner may direct, transmit to the Commissioner, who shall treat in like manner as provided by regulation 15(1), the original applications, registration cards and identification cards received from divisional registrars or completed by the registrar in the performance of his duties under these Regulations and such triplicate copies of registration cards as he may have so received under regulation 15(2) and by virtue of regulation 18, but the registrar shall retain the duplicate copies of all applications and registration cards.

Completion of registration card and identification card by Commissioner

(2) Having received the documents mentioned in paragraph (1) and, where a photograph has been taken, the film and triplicate copy mentioned in regulation 17(5), in respect of any person, the Commissioner shall-

(a) fill out the person's identification card from the particulars on his registration card and, where a photograph has been taken, cause prints of the film to be prepared and attach one of them to the original registration card and affix another to the identification card of such person:

Provided that where such person's age determined under the proviso to regulation 6(2)(b) has been entered on his registration card in place of the date of his birth, such age with express reference to the qualifying date shall be entered in like place on his identification card;

(b) cause the identification card to be laminated and embossed with the seal of Guyana.

Remedy in respect of undelivered, lost or incorrect documents or films

21. (1) Subject to regulation 42, the Commissioner may direct the appropriate registrar, deputy registrar, divisional registrar or official photographer, as the case may require, where a document or film sent or required to be sent to the commissioner under these Regulations is not received by him or is lost, mutilated, defaced or destroyed or there is any error or deficiency therein, to remedy such non-delivery, loss, mutilation, defacement, destruction, error or deficiency, as the case may be.

(2) Such remedy shall be effected in conformity with these Regulations, *mutatis mutandis*, in so far as applicable for the purpose.

(3) A triplicate copy which any person is directed under regulation 17(1) to deliver to an official photographer shall, for the purposes of paragraph (1), be deemed to be a document required to be sent to the Commissioner under these Regulations.

Time for preparing and posting up preliminary lists. [Reg. 7/1973]

22. (1) Lists shall be affixed under section 15(1) on the second day following that on which directions have been given under section 14 for the preparation of the lists.

(2) Residents shall, under section 14(1), be listed under separate heads with reference to the respective registration divisions in which they are registered as residing on the qualifying date.

Claims and objections. [Reg. 7/1973]

23. (1) A claim determinable by a registrar under section 15(3) may be made on the ground that-

(a) the claimant, not having been listed under any head mentioned in regulation 22(2), should be listed as resident in any registration division comprised in the registrar's district-

(i) on account of the claimant's qualifications as mentioned in section 14(1) or his belonging to any class referred to therein, whichever is required under that subsection; and

(ii) by reason of his satisfying the qualification as to residence in such division on the qualifying date;

(b) the claimant is listed as aforesaid by way of an entry which is imprecise or incorrect and should be rectified.

(2) An objection determinable by a registrar under section 15(3) may be made on the ground that-

(a) the entry with respect to any person listed as resident in any registration division comprised in the registrar's district should not have been made; or

(b) the entry claimed by any person whose claim is determinable by the registrar, pursuant to paragraph (1)(a) of this regulation, should not be made, on account of such person not being qualified as mentioned in section 14(1) or not belonging to any class referred to therein, whichever is required thereunder, or not having been eligible to be, for the purposes mentioned in that subsection, registered as resident on the qualifying date in the registration division in question, provided (in the case of every such objection as aforesaid) that the objector is listed as resident in such registration division.

(3) A claim under paragraph (1) (a) or (b) shall be in Form 7 or Form 8, respectively, and an objection under paragraph (2) shall be in Form 9.

(4) Every reference hereinafter in these Regulations to a registrar in relation to a claim or objection made under section 15 shall be construed as including a reference to a deputy registrar.

Submission of claims and objections [Reg. 7/1973 5/1997]

24. (1) Every claim made under regulation 23(1) shall be submitted to the registrar mentioned in such paragraph, and every objection made under regulation 23(2) shall be submitted to the registrar mentioned in that paragraph.

(2) A submission under the preceding paragraph may be made by sending the claim or objection, as the case may be, to the registrar by registered post so as to be received by him within the respective times prescribed by regulation 7.

(3) Notwithstanding anything to the contrary in paragraphs (1) and (2) a claimant referred to in regulation 23 (1)(a) who had not made an application shall deliver his submission to the divisional registrar for transmission to the registrar and at the time of delivery do all such things as are required of a person making application to a divisional registrar in accordance with regulation 6 and the provisions of that regulation and of regulation 7 shall, subject to the effect of the decision on the submission apply *mutatis mutandis* in respect of anything to be done by the claimant by virtue of this paragraph.

Times for submission and publication of claims and objections [Reg. 7/1973]

25. (1) Every such submission shall be made, in the case of a claim, within eleven days after the day prescribed by regulation 22(1) and, in the case of an objection, within two days after the day prescribed by paragraph (2)(a) of this regulation.

(2) Every registrar shall-

(a) on the first day after the expiration of the time prescribed by paragraph (1) for the submission to him of claims relating to any registration division, cause a list of such claims in Form 10; and

(b) on the first day after the expiration of the time prescribed by paragraph (1) for the submission to him of objections relating to any registration division, cause a list of such objections in Form 11, and a notice in Form 12 of the commencement of the public enquiry mentioned in regulation 26, to be affixed to each of not less than two buildings in such registration division.

Review of registration by registrar

26. (1) Subject to paragraph (2) of this regulation every registrar shall hold a public enquiry which shall commence not later than the fourteenth day after the expiration of the time referred to in regulation 25(2)(b) and at which claims and objections duly submitted to, and received by, him in pursuance of regulations 23 and 24 and regulation 25(1) shall be investigated and determined.

(2) Every registrar may, without holding a public enquiry, allow claims submitted in accordance with regulation 23 if-

- (a) no notice of objection thereto has been submitted; and
- (b) he is satisfied that the claim may be duly allowed.

(3) When a registrar allows any claim without holding a public enquiry he shall notify his decision to the Commissioner.

Enquiry by registrar [Reg. 7/1973 5/1997]

27. (1) The registrar shall give notice of every public enquiry into a claim or objection-

- (a) in the case of a claim under regulation 23(1)(a), to the divisional registrar and to any divisional registrar who disallowed the claimant's registration or prepared his registration card in reference to any registration division;
- (b) in the case of a claim under regulation 23(1)(b), to any person objecting thereto under regulation 23(2)(b) and to any divisional registrar who disallowed the claimant's registration or prepared his registration card in reference to any registration division;
- (c) in the case of an objection, to the claimant or other person to whom the entry objected to relates, and to the divisional registrar who prepared the registration card of such other person (if any); and
- (d) to the claimant or objector, as the case may be:

Provided that no failure to give notice of the public enquiry to any party or divisional registrar shall affect the validity of any proceedings at the enquiry or under any of the following provisions of this regulation .

(2) A notice under paragraph (1) to a party shall be given in Form 13 not less than two days before such day as shall be fixed for enquiry into the claim or objection, as the case may be, without prejudice to the registrar's power to adjourn the enquiry as he thinks fit; and any such notice may be given to a party by sending it by registered post to his last known address.

(3) The registrar who shall have all the powers of a magistrate, in relation to the summoning and examining of witnesses, may summon such witnesses and order the production of any document that he may consider necessary.

(4) The registrar shall permit any party or divisional registrar referred to in paragraph (1)(a), (b), (c) or (d), and any witnesses summoned under paragraph (3), to appear before him and be heard.

(5) The registrar may require any person at the enquiry to testify upon oath or affirmation and in such case shall administer the oath or take the affirmation.

(6) The registrar shall make and keep a record of such proceedings at the enquiry, in such form, as the Commissioner shall direct and the record shall show the reasons for the registrar's decision.

(7) Forthwith upon the completion of a public enquiry under regulation 7, the registrar shall inform the Commissioner of his decisions.

(8) Any person who fails without reasonable excuse (the proof whereof shall lie upon him) to comply with any summons, order or requirement of the registrar pursuant to paragraph (3) or (5) or, before the registrar at a public enquiry, makes a statement that he knows or has reasonable grounds to believe to be false, or does not believe to be true, in any material respect shall be liable on summary conviction to a fine of two hundred and fifty dollars or to imprisonment for six months.

Right of appeal [Reg. 6/1968]

28. Any party mentioned in regulation 27(4) may appeal from the decision of the registrar to the Commissioner.

Notice of appeal to be served on registrar [Reg. 5/1997]

29. (1) Any such party desiring to appeal from the decision of a registrar shall, within three days after the date on which the decision was given, serve a written notice of appeal on the registrar specifying the list and entry in respect of which the claim or objection in question was made and the grounds of appeal.

(2) The registrar shall cause such notice of appeal to be forwarded to the Commissioner and a copy thereof to be served on the opposite party, if any, forthwith upon receipt thereof at his registration office.

(3) Every notice of appeal shall be served personally on the Registrar, or any person duly authorized by him to receive such notice at his registration office.

Registrar to furnish statement of facts

30. (1) The registrar shall forward to the Commissioner a statement of the material facts which in his opinion were established at the hearing of the objection or claim in respect of which an appeal is brought and of his decision upon the whole matter and upon any point specified as a ground of appeal.

(2) The registrar shall furnish the commissioner with such other information in his possession as the commissioner may require.

(3) The Commissioner shall on the application of any other party to the appeal, furnish that party with a copy of the statement of the registrar under paragraph (1)

(4) Where it appears to the registrar from the notices of appeal that any appeals are based on similar grounds he shall so inform the Commissioner and, without prejudice to the generality of the powers conferred upon him by section 15(5), the Commissioner may, if he thinks fit, consolidate such appeals.

Parties to appeal

31. On any appeal under regulation 28, the registrar and the opposite party, if any, shall be the respondents.

Hearing of appeal

(1) The Commissioner shall give notice of the hearing of an appeal, and of such place as shall be fixed therefor, to each of the parties to the appeal not less than three days before such day as shall be fixed for the hearing, but without prejudice to the Commissioner's power to adjourn the hearing as he thinks fit; and any such notice may be given by sending it by registered post to the party's last known address.

(2) The Commissioner shall permit any party to the appeal to appear before him and be heard.

(3) If, on the day of hearing the appellant does not appear, the matter shall be struck out and the decision of the registrar affirmed.

(4) The Commissioner shall for the purposes of the hearing of any appeal, have the like powers in relation to summoning and examining witnesses, ordering the production of documents, and administering oaths and affirmations, as are vested in a registrar by regulation 27.

(5) Regulation 27(8) shall, *mutatis mutandis*, apply in relation to the Commissioner and the hearing of an appeal as it applies in relation to the registrar and a public enquiry respectively.

(6) The Commissioner shall make and keep a record of such proceedings at the hearing of an appeal, in such form, as he thinks fit and the record shall show the reasons for his decision.

Forfeiture of deposit made in respect of claims, objections and appeals

33. If a claim or objection made, or an appeal brought, under regulation 23 or 28, respectively, is disallowed, the registrar, in the case of a claim or objection, and the Commissioner, in the case of an appeal, may, if he is of the opinion that the claim or objection or the appeal, as the case may be, was made or brought without reasonable cause, order the deposit accompanying the notice thereof to be forfeited to the government. If no such order is made the deposit shall be refunded.

Commissioner's directions to registrars to rectify registers, cards etc. [Reg. 6/1968]

34. (1) For the purpose of causing alterations to be made as required by section 15(6) and incidental alterations, the Commissioner shall issue such directions to registrars, whether for the purposes of the registration of successful claimants or the cancellation of any person's registration or the rectification of any registration cards or the transfer from one division register to another of any person's registration successfully objected to in respect of the former but thereupon shown by him to be appropriate for the latter register, or otherwise, as may be requisite.

(2) Such alterations and directions shall be carried out in conformity with these Regulations, *mutatis mutandis*, in so far as applicable for the purpose.

(3) Where, for any such purpose as aforesaid, a person's cards in the central and divisional registers are dealt with in any manner, the original and duplicate of his application shall respectively be dealt with in corresponding manner.

Preparation of revised lists on determination of claims and objections

[Reg. 6/1968 7/1973 15/1973]

35. The Commissioner shall revise the list (including that for each registration division) by way of the annexation thereto of supplementary lists in such form as determined by the Commissioner containing all such changes and additions to the list (including that for any registration division) as are necessary from time to time by virtue of the final determination of claims and objections or by virtue of the Commissioner being satisfied that at the time of the publication of the preliminary list entries thereof were omitted and a supplementary list, together with the list or that for any division shall constitute the revised list or that for the respective division, as the case may be, at the date of the latest of such supplementary list.

Certification and publication of revised lists

36. (1) A sufficient number of copies of the revised list for each registration division comprised in any district shall be certified and sent to the registrar for such district by the Commissioner.

(2) The registrar shall cause a copy of such list to be affixed to each of not less than two buildings in that registration division and notice that a copy thereof is open for inspection at his registration office shall be published in the *Gazette*.

Correction to revised list by Commissioner

37. If within the period of twenty-one days after he had certified the revised lists, the Commissioner is satisfied that any entry or omission in any list as revised pursuant to regulation 35 is incorrect through inadvertence in the course of such revision, he shall make or cause to be made the requisite correction to that list and such copy thereof as is open for inspection at any registration office and the commissioner shall give to the person to whom such correction relates notice thereof, which may be sent by registered post to his last known address.

Cancellation of registration

38. (1) A registrar shall cancel the registration of any person if-

- (a) the registrar is satisfied that such person is dead;
- (b) a new registration card is to be prepared for him;
- (c) the registrar is directed so to do under regulation 34;
- (d) such registration was effected in contravention of section 11 (1);
- (e) the registrar is satisfied that such person is not qualified to be registered;

Provided that no cancellation shall be made under this subparagraph after the commencement of the preparation under subsection (1) of section 14 of any list in which the persons should be listed pursuant to such registration.

(2) Where a new registration card is to be prepared for any person, the registrar shall cancel such person's registration card for which the new registration card shall be substituted; and where a person's registration is discovered to have been effected in contravention of section 11(1), the registrar shall cancel the registration card prepared for the purposes of such registration.

(3) The registrar shall give notice to a person whose registration he intends to cancel under paragraph (1) (b), (c), (d), or (e)-

- (a) setting out the reason why he intends to cancel such registration;
- (b) indicating the time when he intends to cancel such registration;
- and

(c) requiring such person to produce to the registrar before such time any identification card issued in consequence of such registration.

(4) A notice under paragraph (3) shall be in Form 14 and may be sent by registered post to such person's last known address.

(5) If a person to whom any such notice of intended cancellation under paragraph (1)(d) has been sent satisfies the registrar that the cancellation of his registration is not justified, the registrar shall not cancel the registration, and if so satisfied after he has cancelled the registration he shall restore the registration and make the necessary correction to the registration card.

(6) Where the registrar cancels the registration of any person under this regulation he shall stamp or write the word "cancelled", and date and initial the same, on the face of his registration card and application pertaining to such registration or, in the case of any cancellation under paragraph (1) (b), on the face of the registration card to be replaced.

(7) Regulation 13(5) and (6) shall, *mutatis mutandis*, apply to the stamping or writing of the word "cancelled" and the dating of the same, under the last preceding paragraph, on a registration card and application as they apply to any alteration thereto under that regulation.

c. 12:01

(8) Every person who is required by virtue of section 10, 12, 14 or 33 of the Deceased Persons Estates' Administration Act to make or cause to be made an inventory shall forthwith, upon becoming so required, transmit to the Commissioner any identification card issued to the deceased, together with notice of his death.

(9) Any person who, without reasonable excuse (the proof whereof shall lie upon him), fails to produce his identification card to the registrar when required to do so under paragraph (3) (c), or contravenes paragraph (8), shall be liable on summary conviction to a fine of one hundred dollars or to imprisonment for three months.

Disposal of disused registration cards and identification cards

39. (1) The Commissioner and the registrars shall remove cancelled cards from the central and divisional registers, respectively, and shall keep them separately.

(2) The Commissioner and the registrars shall keep such cards for a period of two years or for any greater period that the Commissioner may in special circumstances think fit, and on the expiration of such period, they shall destroy such cards.

(3) Registrars shall send all cards which have been used but have not been completed to the Commissioner who shall keep them in safe custody, and on expiration of one year after the date of their receipt shall destroy them.

(4) The Commissioner shall keep a record of the identify numbers on registration cards destroyed by him under this regulation.

(5) Registrars shall send to the Commissioner such identification cards produced under regulation 38 (3) (c) as were issued to persons whose registration is cancelled, and the Commissioner shall destroy them; and, as soon as the Commissioner shall have satisfied himself that the registration of any person whose identification card has been transmitted under paragraph (8) of that regulation is cancelled, the Commissioner shall destroy such card.

Emigration of persons

40. (1) The Chief Immigration Officer shall, from such day as may be appointed by the first order under section 6(1) for the commencement of registration, cause everyone leaving or returning to Guyana to be required to disclose to the best of his knowledge whether he is a registrant or registered person leaving or returning as aforesaid in the course of any change in his residence and, if so, his residential address as shown on his registration card.

(2) The Chief Immigration Officer shall send to the Commissioner once in every three months a report of the names, the dates of departure from Guyana or return to Guyana, as the case may be, and the residential addresses, as disclosed under the preceding paragraph, of all persons who have prior to the date of such report, disclosed any such change as mentioned in that paragraph and whose departure or return on the said dates has not been referred to in any previous report under this paragraph:

Provided that the interval between the dates of any such reports shall be such period as the Commissioner may direct in any particular case and, in the absence of such direction, shall not exceed three months.

(3) The Commissioner shall, in so far as practicable, ascertain to his satisfaction whether a change in the residence or domicile of every person named in each report as aforesaid has taken place and, in the event of a change in that person's residence being so ascertained, his new residential address, and the Commissioner, when satisfied that is requisite so to do, shall cause the person's registration to be cancelled under regulation 38(1)(e), or to be altered as if a claim had been made in that behalf under regulation 14(1), as the circumstances permit.

Replacement of identification cards

41. (1) The Commissioner shall issue an identification card (hereinafter called a replacement identification card) to replace an identification card issued to any registered person if any particulars appearing in his registration card as a result of any change of or in his registration under these Regulations vary from particulars which were entered in the identification card to be replace or if upon the registered person's application it is shown to the satisfaction of the commissioner that such card has been lost, destroyed, mutilated or defaced or does not conform to the requirements of regulation 20 (a) and (b):

Provided that an omission from such card in contravention of those requirements may be supplied by the Commissioner upon submission of the card to him by the person to whom it was issued.

(2) An application for a replacement identification card under the preceding paragraph shall be in Form 15.

(3) The Commissioner shall give such directions as he considers requisite for the purpose of obtaining upon a blank identification card the signature, or in lieu thereof the finger print or entry of a note in lieu of such finger print, as the case may require, of any person to whom he intends to issue a replacement identification card, and regulations 11, 15, 19 and 20 shall apply *mutatis mutandis* in relation thereto:

Provided that the Commissioner shall write thereon a note to the effect that such card is a replacement identification card, and the print for attachment to the replacement identification card as required by regulation 20(a) may be prepared from the film form which the print (if any) attached to the said person's registration card was prepared.

(4) When attempting to obtain the signature of any such person pursuant to the preceding paragraph, a divisional registrar shall require the person to surrender to him for destruction by the Commissioner, the identification card to be replaced, except where the divisional registrar is notified on the authority of the Commissioner that such card has been lost or destroyed.

(5) Whenever the Commissioner issues a replacement identification card, he shall make or cause to be made an entry in such space as shall be allocated for remarks on the back of the appropriate registration card showing the date of issue of the replacement identification card and shall notify the appropriate registrar of the issue of such card.

(6) Whenever any registrar is notified under the preceding paragraph of the issue of a replacement identification card to any person, the registrar shall cause a like entry as aforesaid to be made in the duplicate copy of the registration card of such person.

Partial or total loss of registration cards

42. (1) If an original registration card or the duplicate copy thereof is lost, mutilated, defaced, or destroyed, the Commissioner shall cause to be prepared a photostatic copy from whichever remains intact and that photostatic copy shall, to all intents and purposes, be deemed to replace the lost, mutilated, defaced or destroyed registration card or duplicate copy thereof, as the case may be, and shall be dealt with accordingly.

(2) The Commissioner shall make and sign a certificate on the photostatic copy prepared by under paragraph (1) to the effect that it is a true and correct reproduction.

43. (1) Forms prescribed for the purpose of completion by any claimant, objector, or applicant for exemption from being photographed or replacement of his identification card, under these regulations shall be obtainable free of cost at any registration office for that purpose.

(2) Any employee referred to in section 19(1)(c) from whom a form is so obtained for completion by any person as aforesaid shall at his request, if he is unable by reason of illiteracy or physical defect to complete the form without assistance, assist such persons to complete it.

(3) Forms prescribed by these Regulations may be used with such variations and additions, not affecting the substance or calculated to mislead, as the Commissioner considers it expedient to sanction, whether generally or in any particular case, from time to time.

Interpreter

44. (1) Whenever the Commissioner, a registrar, deputy registrar or divisional registrar in performance of his duties does not understand the language spoken by any person he may appoint an interpreter who shall be the means of communication between him and such person.

(2) An interpreter appointed under this regulation shall take an oath in Form 16.

Authorised disclosures to Police

45. The Commissioner may authorize the communication or delivery of any information acquired for the purposes of the Act, or of any document wholly or partly prepared for those purposes, to any member of the Police Force for ascertainment or investigation of the commission of any offence under the act or in connection with elections to the National Assembly, and may, for the purposes of the trial of any offence aforesaid, authorized the disclosure or production of any information or document so acquired or prepared.

Indication of regulations to govern execution of Commissioner's directions

46. The Commissioner may include in any directions given under regulation 21(1) or 34(1) special indication in writing or any provisions of these regulations which shall be observed for the purposes of compliance in any respect with paragraph (2) of either of those regulations and every such indication shall have effect as if provided by that paragraph.

Extension of time [Reg. 5/1997]

47. (1) Any period, exceeding one day, within which anything is required by the Act to be done may, at any time before or after its expiration, be extended by direction of the Elections Commission issued under the hands of the Chairman of the Elections Commissions.

(2) The Elections Commission may extend from day to day, by direction given under the hand of the Chairman of the Elections Commission prior to the expiration of the last-mentioned day in the case of every such extension, the time for doing anything which is required to be done on a day prescribed by these Regulations.

Service of document

48. Every notice or other document which may, under any provisions of these Regulations, be served on, or given or submitted to, any person by registered post shall also be deemed to be duly served, given or submitted, as the case may be, if delivered to him or (in the case of any officer accommodated under regulation 4(1)) at his registration office by hand.

Deference to authority of Elections Commission [Reg. 2/1968 26/1968] c. 1:01

49. In giving effect to the foregoing provisions of these Regulations, such authority of the Elections Commission as may be exercised in pursuance of article 69 of the Constitution and section 16 shall be duly deferred to.

Offences

50. (1) Everyone who-

(a) being an applicant or registrant, without reasonable excuse (the proof whereof shall lie upon him), fails to comply with regulation 6(2) or with any requirement or direction of a divisional registrar under regulation 8,9 or 17 or regulation 6(2) has been entered on his registration regulation 11(1) or to acknowledge under regulation 17 any such direction;

(b) being an applicant or registrant, refuses to receive the triplicate copy of his registration card to be given to him as required by regulation 9(3) or to permit anything to be read over to him under regulation 10(1);

(c) being an applicant or registrant, in the course of compliance with any requirement of a divisional registrar under regulation 9(1) or with regulation 10(1), neglects to point out to the divisional registrar any particular which he knows or has reasonable grounds to believe to be untrue or incorrect, or does not believe to be true and correct, in his application form or registration card, as the case may be;

(d) without reasonable excuse (the proof whereof shall lie upon him), refuses to comply with regulation 13(2) in respect of his application or registration card or the duplicate or triplicate thereof;

(e) makes any claim under regulation 14 or 23, or any application under regulation 18 or regulation 41(1) upon any grounds that he knows or has reasonable grounds to believe to be false;

(f) without reasonable excuse (the proof whereof shall lie upon him), fails, in the course of the preparation of a new registration card for him under regulation 14(7) to comply with any such requirements of a divisional registrar or official photographer with which his compliance is reasonably necessary for the carrying out of any directions given under that paragraph for the purpose of such preparation;

(g) having complied with any direction of a divisional registrar under regulation 17(1), without reasonable excuse (the proof whereof shall lie upon him), fails to comply with any requirements of the official photographer which it is reasonably necessary that he comply with for the purposes of regulation 17(3) or (4);

(h) in the course of transmission of any identification card to the Commissioner, falsely represents (whether directly or by implication) such transmission to be for the purposes or regulation 38(8);

(i) without reasonable excuse (the proof whereof shall lie upon him) fails to comply with any requirement under regulation 19 or 40(1) or 41(4);

(j) being an interpreter, willfully or negligently fails in any material respect to perform the undertaking given by him under regulation 44 (2),

shall be liable on summary conviction to a fine of two hundred and fifty dollars or imprisonment for sixth months.

(2) For the avoidance of doubt it is hereby declared that no person who is required to furnish any information, particulars or document by or under any such provisions of these Regulations as are referred to in the preceding paragraph complies with such requirement by furnishing any information, particulars or document that he knows or has reasonable grounds to believe to be false, or does not believe to be true or genuine, in any material respect.

(3) Any provision made by paragraph (1) for enforcement of the fulfillment of, or compliance with, any provisions of these Regulations or any direction or requirement for the purposes thereof shall, in relation to the application of those provisions *mutatis mutandis* under any other provisions of these Regulations, be construed with such modifications and adaptations as are necessary for like enforcement in the case of such application.